

REMARKS

Claims 3, 5, 6, 15, 17, 18, 29, 31, and 32 are requested to be cancelled without prejudice or disclaimer.

Claims 1, 13, 15, 19-27, and 30 are currently being amended.

After amending the claims as set forth above, claims 1, 2, 4, 7-14, 16, 19-28, 30, and 33-38 are now pending in this application.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicant thanks the Examiner for the thorough search of the present application and for indicating that the present application contains allowable subject matter. However, Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Applicant has made amendments in claims 2, 7, 13, 15, 19, 21, and 22 for reasons formal in nature. In making these amendments, Applicant does not intend to narrow the scope, nor does it intend to surrender any claim scope with regard to the Doctrine of Equivalents. Should the Examiner have any questions concerning this issue, he is encouraged to contact the undersigned at his earliest convenience.

In the outstanding Office Action of February 19, 2008, the Examiner rejected claims 13-24 and 26 under 35 U.S.C. § 101 because, in the Examiner's opinion, the claims do "not fall into one of the four statutory classes of invention: processes, machine, manufacture, or composition of matter." In response to this rejection, claims 13 and 26 have been amended to recite "a computer program product embodied on a computer-readable medium." Furthermore, claims 14, 16, and 19-24 have been similarly amended for consistency purposes. An example of a

computer-readable medium is the storage where the digital camera images are stored, as discussed in paragraph [0026]. Furthermore, the database identified at 222 in Figure 2 of the present application is another example of a computer-readable medium. Applicant therefore submits that the amendment is fully supported by the application as originally filed. As such, Applicant submits that claims 13 and 26 are directed to statutory subject matter and respectfully requests that the rejection be withdrawn.

Claims 1-2, 10-12, 13-14, 22-24, 27-28, and 36-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2005/0041625 to Brewer (Brewer). In addition, claims 7-9, 19-21, and 33-35 were rejected under 35 U.S.C. as being unpatentable over Brewer.

In response to these rejections, and in the interest of compact prosecution, Applicant has amended independent claims 1, 13, and 27 to incorporate the allowable features previously presented in claims 5, 17, and 31. As correctly recognized by the Examiner, Brewer fails to teach or suggest that establishing a communication session includes indicating “use of Blocks Extensible Exchange Protocol (BEEP) to exchange image data in JPEG2000 Interactive Protocol (JPIP),” as previously recited in claims 5, 17, and 31. Since the Examiner indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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